

Minutes of the Executive Committee

Monday, May 18, 2020

Chair Decker called the meeting to order at 8:30 a.m.

Present: Supervisors Paul Decker, Tim Dondlinger, Jennifer Grant, Jim Heinrich, Dave Swan, Peter Wolff and Dave Zimmermann.

Also Present: Chief of Staff Sarah Spaeth, Corporation Counsel Erik Weidig; County Board Supervisors Steve Whittow, Joel Gaughan, and Ted Wysocki; Sheriff Eric Severson, Inspector Jim Gumm, County Clerk Meg Wartman, and Citizens Lena Eng and Beth Furuno.

Future Meeting Date

- June 15, 2020
- July 20, 2020

Committee Welcome and Opening Remarks by Chair

Spaeth discussed the code of conduct for the Executive Committee and Decker welcomed members to the committee.

Nomination and Election of Secretary

MOTION: Zimmermann moved, second by Dondlinger nominate Wolff as secretary. Motion carried 7-0.

Discuss Committee Duties and Responsibilities as Written in the County Code of Ordinances

Spaeth discussed the duties and responsibilities of the Executive Committee as outlined in the County Code.

Discuss and Consider Ordinance 175-O-013 Amend Waukesha County Board Of Supervisors' Operating Procedures And Rules By Amending The Text Of The Code Of Ordinances, Chapter 4

Spaeth and Weidig were present to discuss this ordinance which amends the Waukesha County Board of Supervisors Operating Procedures and Rules by amending the text in the Waukesha County Code of Ordinances, Chapter 4. Specifically, the County Board Chair may designate a part of the agenda as the consent agenda. Items are placed on the consent agenda if they are judged to be noncontroversial and routine. Any member may remove an item from the consent agenda and place it on the regular agenda when the consent agenda comes forward for action. All items on the consent agenda must be voted on and adopted by a single motion, with the minutes reflecting the motion and vote on each item. Also, during a State of Emergency as declared by the Governor or Waukesha County Executive under State Statutes Chapter 323, the chairperson of a standing committee may allow a member of the committee to participate in a committee meeting by telephone or by other means of telecommunication or electronic communication, and be considered present for all purposes, including voting.

Lastly, the ordinance limits resolutions in scope to issues within the powers and duties of counties set forth in Chapter 59 of Wisconsin Statutes.

Grant expressed concerns regarding consent agendas saying she thought the length of the meetings is not burdensome. Heinrich said he would like to see remote participation expanded to include meetings that were not planned. Spaeth will work with Heinrich to develop an amendment for the board floor. Grant expressed concern about expanding remote participation in general saying government is an essential service and supervisors should be able to meet in person. Dondlinger would like to see some remote participation but not as strict as the ordinance is drafted. Zimmermann concurred. Grant said she does not support any items in this ordinance and said supervisors should have the right to bring forward any issue they wish. Wolff said he was elected to be a County Board Supervisor and the board should stick to issues it has direct control over. Zimmermann said he thinks a compromise can be made to allow resolutions to come forward if several supervisors sign on.

MOTION: Wolff moved, second by Swan approve Ordinance 175-O-013. Motion carried 5-2. Grant and Zimmermann voted no.

Discuss and Consider Resolution 175-R-001 Support of Rights Guaranteed By The Second Amendment To The U.S. Constitution and Art. 1 Sec 25 of the Wisconsin Constitution

Whittow discussed this resolution which would affirm the Waukesha County Board's support of the Second Amendment to the United States Constitution and Article 1 Section 25 of the Wisconsin Constitution, affirms support of the Waukesha County Sheriff's discretion in enforcement of gun laws, resolves not to appropriate funds for enforcement of unconstitutional laws, and opposes the enactment of any legislation that would infringe upon the constitutional rights of the people of Waukesha County.

Whittow asked that his resolution be tabled until June so the board can have a venue in place to allow for a robust public hearing.

MOTION: Grant moved, second by Swan to approve Ordinance 175-R-001. Motion defeated 2-5. Swan, Heinrich, Decker, Wolff, and Dondlinger voted no.

Discuss and Consider Resolution 175-R-002 Supporting Creation of a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans

Gaughan discussed this resolution which would affirm the County Board's support for the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans. Pursuant to Article IV, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict state legislative districts "according to the number of inhabitants" at its next session following the decennial federal census. The Legislature also reapportions congressional districts at the same interval pursuant to federal law. Because state and federal legislative redistricting is controlled by the majority party at the time of the redistricting, legislative and congressional plans in Wisconsin have been subject to partisan influence that puts the desires of politicians ahead of the electoral prerogative of the people. Redistricting to achieve partisan gains is improper, whether it is done by Republicans or Democrats. A panel of federal district court judges ruled that the redistricting done in Wisconsin in 2011 was unconstitutional. Legal fees in defense of the 2011 redistricting cost taxpayers in excess of \$4 million.

MOTION: Grant moved, second by Swan to approve Ordinance 175-R-002. Motion defeated 0-7.

Discuss and Consider Resolution 175-R-003 Resolution to Conduct Countywide Advisory Referendum on Creation of Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans and Maps

Gaughan discussed this resolution which authorizes an advisory referendum on the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans and maps. The following question would be placed on the November 3, 2020 ballot as an advisory referendum question: “Should the Wisconsin legislature create a nonpartisan procedure for the preparation of legislative and congressional district plans and maps? YES _____ NO _____.”

MOTION: Grant moved, second by Swan approve Ordinance 175-R-003. Motion defeated 0-7.

Discuss and Consider Legal Advertising Contract with Waukesha Freeman

Wartman discussed an amendment to the current legal advertising contract whereby Conley Media LLC and the County mutually agree to extend the contract to May 21, 2021 with all pricing, terms, and conditions remaining the same.

MOTION: Wolff moved, second by Zimmermann to approve the amendment to the current legal advertising contract with Conley Media LLC. Motion carried 7-0.

Discuss and Consider Appointment 175-A-001 Mary Berg to the Health & Human Services Board

MOTION: Zimmermann moved, second by Dondlinger to approve Appointment 175-A-001. Motion carried 7-0.

Discuss and Consider Appointment 175-A-002 Christine Howard to the Health & Human Services Board

MOTION: Swan moved, second by Dondlinger to approve Appointment 175-A-002. Motion carried 7-0.

Standing Committee Reports by Committee Chairs

Committee chairs gave reports on their respective committee meetings.

State Legislative Update

Spaeth updated the committee on CARES Act funding that the County is seeking from the State to combat the COVID-19 pandemic.

MOTION: Zimmermann moved, second by Wolff to adjourn at 10:54 a.m. Motion carried 7-0.

Respectfully submitted,

Peter M. Wolff

Peter M. Wolff
Secretary